

By: Harris S.B. No. 462
(In the Senate - Filed February 6, 2007; February 21, 2007,
read first time and referred to Committee on Intergovernmental
Relations; March 19, 2007, reported adversely, with favorable
Committee Substitute by the following vote: Yeas 3, Nays 0;
March 19, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 462 By: Wentworth

A BILL TO BE ENTITLED
AN ACT

relating to the allocation of revenue from the municipal hotel
occupancy tax for the arts for certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 351, Tax Code, is amended
by adding Section 351.1077 to read as follows:

Sec. 351.1077. ALLOCATION OF REVENUE FOR THE ARTS FOR
CERTAIN MUNICIPALITIES. (a) This section applies only to a
municipality that:

(1) has a population of more than 190,000; and
(2) is located in a county in which another
municipality that has a population of more than one million is
predominately located.

(b) Notwithstanding any other provision of this chapter, a
municipality to which this section applies may use an amount that is
less than or equal to 15 percent of the hotel occupancy tax revenue
collected by the municipality for the purposes provided by Section
351.101(a)(4).

(c) Notwithstanding any other provision of this chapter, a
municipality to which this section applies may use an amount that is
less than or equal to an additional \$1.6 million in hotel occupancy
tax revenue collected by the municipality for the purposes provided
by Section 351.101(a)(4). The \$1.6 million is in addition to the 15
percent amount allowed by Subsection (b).

(d) A municipality to which this section applies may not
reduce the amount of revenue that an arts center that receives funds
under Subsection (b) spends for a purpose described by Section
351.101(a)(3) to an amount that is less than the amount of revenue
spent by the arts center for those purposes during the fiscal year
of the arts center preceding the effective date of this section. If
the municipality reduces the funding of the arts center under
Subsection (b), the art center's required funding amount for
purposes described by Section 351.101(a)(3) is also reduced by a
proportional amount.

(e) An arts center that receives funds under Subsection (b)
shall include a website address that contains a link to area hotels
and lodging options in the municipality on all materials produced
for the purposes of Section 351.101(a)(3).

(f) This section expires September 1, 2022.

SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2007.

* * * * *